

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

ESTATE OF JUDY MILBURN, ROSA	§	
BRANNEN, INDIVIDUAL (DAUGHTER	§	.
OF DECEDENT) AND AS	§	
ADMINISTRATOR TO THE ESTATE OF	§	
JUDY DARLENE MILBURN; AND JAIME	§	
GARCIA, INDIVIDUAL (SON OF	§	
DECEDENT);	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 2:19-CV-00233-JRG
	§	
COLONIAL FREIGHT SYSTEMS INC.,	§	
DOES 1 TO 5,	§	
	§	
<i>Defendants.</i>	§	


FINAL JUDGMENT

On June 30, 2020, the Court issued its Memorandum Opinion and Order granting Defendant Colonial Freight Systems Inc.’s (“Colonial”) Motion for Summary Judgment and granting its Supplemental Motion for Partial Summary Judgment (the “Summary Judgment Order”). (Dkt. No. 123.) Pursuant to the Summary Judgment Order, the claims asserted in this case by Plaintiffs Rosa Brannen, individually and as Administrator of the Estate of Judy Milburn, and Jaime Garcia, individually (collectively, the “Plaintiffs”) are covered exclusively by the administrative remedy of workers’ compensation. As a result, Plaintiffs should take nothing as to Colonial as a part of this action.

Pursuant to Rule 58 of the Federal Rules of Civil Procedure and in accordance with the Summary Judgment Order, the Court hereby **ORDERS** and **ENTERS FINAL JUDGMENT** as follows:

1. Judgment is granted and entered in favor of Colonial, and as such, Plaintiffs take nothing from and against Colonial as a part of this action. Plaintiffs' administrative claims pursuant to existing workers compensation coverage remain intact and unaffected by this Final Judgment.
2. As the prevailing party, Colonial is awarded all taxable costs, which are taxed against Plaintiffs.
3. The Court retains jurisdiction to enforce not only the terms of this Final Judgment but also previous orders entered herein.¹
4. All other relief requested by either party and not specifically awarded herein is **DENIED**. The Clerk is **DIRECTED TO CLOSE** the above-captioned case.

So ORDERED and SIGNED this 6th day of July, 2020.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE

¹ See Dkt. No. 124-1 (regarding Plaintiffs' failure to pay mediation fees).